

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SHAKEEM H. CRAWFORD, : 3:17cv1697
Petitioner :
v. : (Judge Munley)
WARDEN S. SPAULDING, : (Magistrate Judge Carlson)
Respondent :

.....

ORDER

AND NOW, to wit, this 10 day of October 2017, we have before us for disposition Magistrate Judge Martin C. Carlson's report and recommendation (Doc. 3), which proposes this case be dismissed for lack of jurisdiction, without prejudice to petitioner taking action before the appropriate court of appeals under § 2255 to preserve and present this issue in a second or successive motion to correct his sentence.

No objections to the report and recommendation have been filed, and the time for such filing has passed. Therefore, in deciding whether to adopt the report and recommendation, we shall determine if a review of the record evidences plain error or manifest injustice. FED. R. CIV. P. 72(b) 1983 Advisory Committee Notes ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record to accept the

recommendation"); see also 28 U.S.C. § 636(b)(1); Sullivan v. Cuyler, 723 F.2d 1077, 1085 (3d Cir. 1983).

After a careful review, we find neither a clear error on the face of the record nor a manifest injustice, and therefore, we shall adopt the report and recommendation. Thus, it is hereby **ORDERED** as follows:

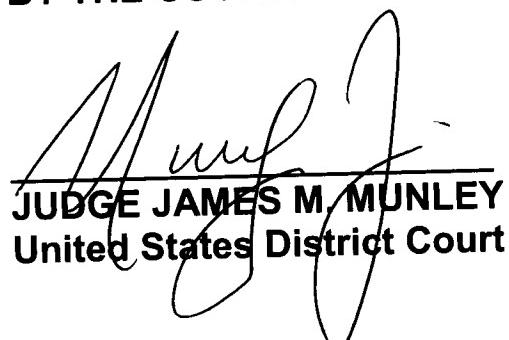
1) The magistrate judge's report and recommendation (Doc. 3) is

ADOPTED;

2) This case is **DISMISSED** for lack of jurisdiction; and

3) The Clerk of Court is directed to close this case.

BY THE COURT:



JUDGE JAMES M. MUNLEY
United States District Court